



CA Vishal Bhattad

Chapter 11- ACCOUNTS & RECORDS

Registered Person

General

Sec 35 (1): Books of Accounts

- 1) Books of accounts to be kept & maintained at -
 - Principal Place of business
 - Additional place of business
- 2) Books found at unregistered premises - deemed to belong to registered person

Sec 35 (1): Accounts and Records

Accounts [Sec 35(1)]

- Production of goods
- inward/outward supply of G/S
- Stock of goods
- Output tax payable/paid
- ITC availed
- Other particulars

Not required for composition Scheme

Goods kept at other than declared location - deemed as supply & tax payable thereon

Records & Documents [CGST Rules]

- Goods/services imported or exported
- Supplies attracting payment of tax on RCM along with relevant documents like invoices, Challan, Credit & Debit Note & Vouchers etc.
- Advances received, paid and adjusted
- Required to keep particulars of name & complete address of supplier, recipient & premises where goods are stored

Special Cases

Owner/Operator of Godown/ Warehouse

Registered

Unregistered

Obtain unique enrollment number

Sec 35(2): shall maintain records of the consignor, consignee and other relevant details of the goods in such manner as may be prescribed

Rule 58(4) : maintain books of accounts

- with respect to the period for which particular goods remain in the warehouse,
- particulars relating to dispatch, movement, receipt and disposal of such goods

Rule 58(5) : store the goods in such manner that they can be identified item-wise and owner-wise and shall facilitate any physical verification or inspection by the proper officer on demand

Sec 35(2) read with Rule 58 Warehouse Owner and Transporter

Transporter

Registered

Unregistered

Obtain unique enrollment number

Sec 35(2): shall maintain records of the consignor, consignee and other relevant details of the goods in such manner as may be prescribed

Rule 58(4) : shall maintain records of

- Goods transported, delivered and goods stored in transit by him along with the
- GSTIN of the registered consignor and consignee for each of his branches.

Rule 58(1A) : IF transporter is Registered in more than one State/ UT- May apply for unique common enrollment number for EWB

Rule 56(11) : Records to be maintained by Agent

- Particulars of Authorization received from each principal to receive or supply of G/S
- Description value & Quantity of G/S received on behalf of P
- Description value & Quantity of G/S supplied on behalf of P
- Details of accounts furnished to P
- Tax paid on receipts/ supply of goods on behalf of P

P=every principal

Rule 56(12) : Records to be maintained by Manufacturer

- Monthly production accounts showing quantity of RM/service used in the manufacture
- Quantitative details of goods manufactured, waste and by products

Rule 56(13) : Records to be maintained by Supplier of Services

- Quantitative details of goods used in provision of service
- Details of input service
- Details of services supplied

Rule 56(14) : Records to be maintained by Works Contractor

- Names & Address of person on whose behalf the works contract is executed
- Description, value & Qty. of G/S received for each W.C.
- Description, value & Qty. of G/S utilized for each W.C.
- Details of payment received for each W.C.
- Name and address of suppliers

Rule 56(17) : Records to be maintained by C&F Agent

- Maintain true & correct records of goods handled on behalf of registered person
- Produce details as required by PO

Procedure for maintenance of A/C

- Records may be in **electronic form**
- Proper backup** of electronic Records
- Records to be produced to officer on demand along with **files and passwords**
- No Entry to be erased/ over written
- Manual Records- **serially numbered**

Sec 35(6) - Consequences for failure to maintain books of accounts

- Non accounted G/S - regarded as deemed supply & tax payable thereon
- Provisions of Section 73 and 74 and 74A shall apply

Sec 36- Retention of Accounts

- Till the expiry of **72 months from due date furnishing of annual return**
- If subject matter is for appeal/ revision - retention shall be later of-
 - 1 year after its final disposal of appeal/revision**
 - 72 months from due date of furnishing AR**

Chapter 11- Sec 68 & Rule 138 : E-Way Bill



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General Discussion

What is an E-Way bill why is it required?

E-Way Bill is a compliance mechanism

- Where in by way of a digital interface
- The person causing the movement of goods
- upload the relevant information prior to commencement of movement of goods
- Generates E-Way Bill on GST Portal

Relevance :-

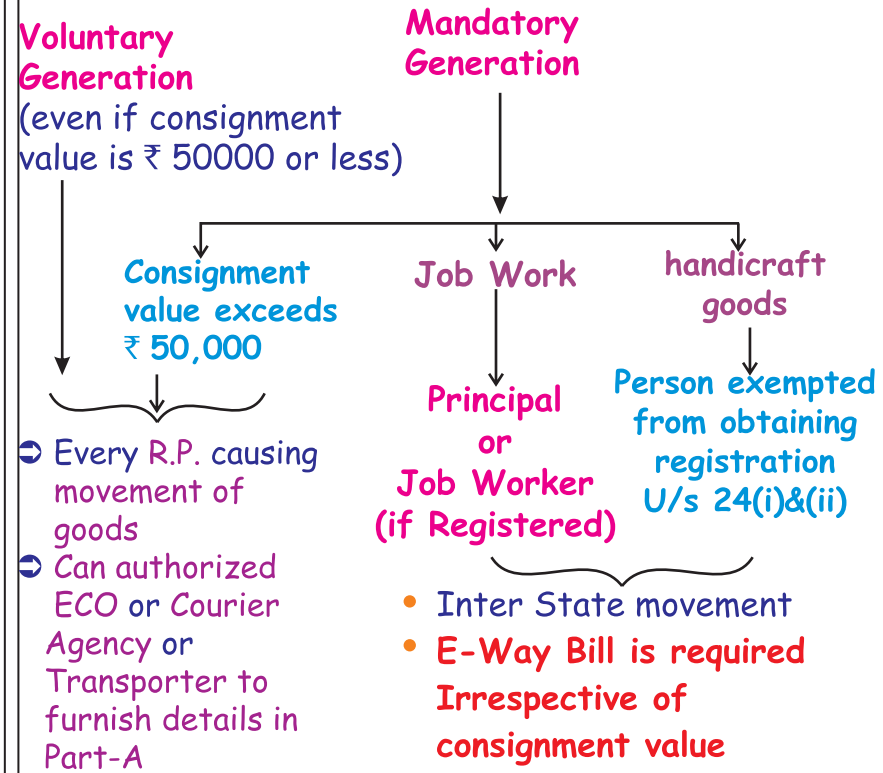
- Hassle free movement
- Track movement of goods
- Control tax evasion
- Eliminate State boundary checkpost

Who & When E-way Bill is required to be generate?

Who :- Every R.P. (Supplier or recipient) who causes the movement of goods

- in relation to a supply or
- Reasons other than supply or
- Due to inward supply from an URP

When :- Consignment value exceeds ₹ 50,000



Details in E-Way Bill

Part A	Part B
GSTIN of Supplier	Vehicle Number for Road
Place of Dispatch (Pin Code)	Transport Document No.(Goods receipt No./Railway Receipt No./etc.)
GSTIN of Recipient	
Place of Delivery (Pin Code)	
Document no. (as given in Invoice /Bill of supply etc)	
Document date	
Value of Goods	
HSN Code [upto 5cr-4digit Above 5cr-6digit]	
Reason for Transportation	

Information in part B is optional

If Distance up to 50 Km within State or UT in case of transportation from POB to transporter's Place or vice-versa

Determination of Value

Mandatory generation of E-Way bill if Value exceeds ₹50,000

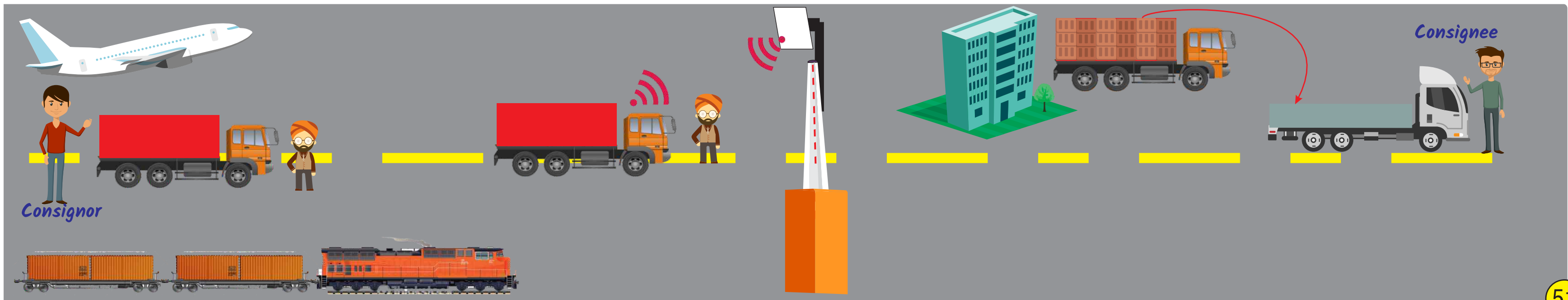
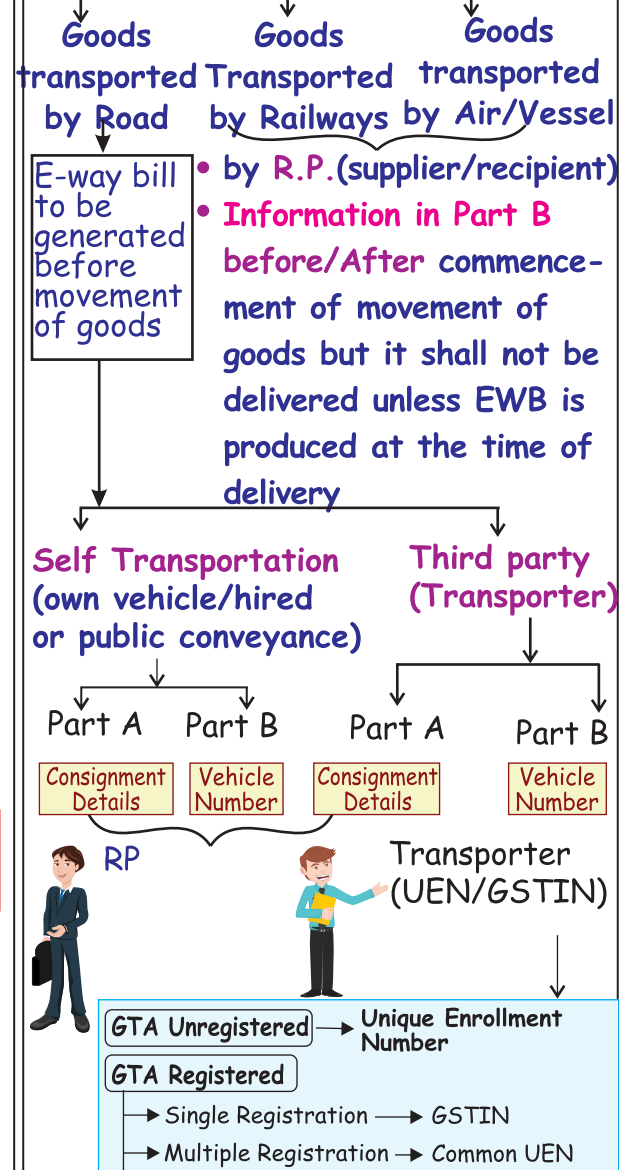
Determined as per Section 15 Declared in invoice/ Bill of Supply/ Delivery Challan Issued in respect of said consignment

Includes CGST, SGST/ UTGST, IGST, Cess

Excludes Value of Exempt Supply of goods

Note:- Specially for E-Way Bill value includes GST

When E-Way Bill is required to be generated?



Validity of E-Way Bill	Non-Requirement of E-Way Bill	Documents to be carried by Person in Charge	Non Compliance of E-Way Bill	Acceptance/Rejection/cancellation of E-Way Bill															
<p>Other than over dimensional cargo In case of Over Dimensional Cargo</p> <table border="1"> <tr> <td>upto 200km ↓ 1 day</td> <td>for every additional 200 km or part ↓ 1 additional day</td> <td>upto 20km ↓ 1 day</td> <td>for every additional 20 km or part ↓ 1 additional day</td> </tr> </table> <p>Note :- Multi modal shipment where one leg in ship the above both options are available</p> <p>Other Points:-</p> <ul style="list-style-type: none"> Validity period shall be counted from time at which E-Way bill has been generated (after completion of info in part B by transporter) Validity of E-way bill may be extended within 8 hrs from the time of its expiry First day shall be expired on mid night of succeeding day <table border="1"> <tr> <td>14th April 10 am EWB</td> <td>15th -16th 12 am 1- Day</td> <td>16th-17th 12 am 1- Day</td> </tr> </table>	upto 200km ↓ 1 day	for every additional 200 km or part ↓ 1 additional day	upto 20km ↓ 1 day	for every additional 20 km or part ↓ 1 additional day	14th April 10 am EWB	15th -16th 12 am 1- Day	16th-17th 12 am 1- Day	<ul style="list-style-type: none"> Transportation of <ul style="list-style-type: none"> Non Taxable Goods Jewellery/ precious stone excepting Imitation Jewellery (7117) Currency Postal, Baggage Personal effect Empty cargo container Transported by non motorised vehicles Movement of goods under-ministry of defense Supply under Schedule-III Supply under Custom supervision Transport of exempt goods (except de-oiled cake) etc. <p>Note- there are more cases of non requirement of EWB for that refer notes.</p>	<p>The person in charge of a conveyance shall carry—</p> <p>(a) the invoice or bill of supply or delivery challan, Bill of Entry etc. and</p> <p>(b) a copy of the e-way bill in physical form or EWB no. in electronic form or mapped to a RFI Device embedded on to the conveyance</p> <p>Not Applicable :- for movement of goods by rail or by air or vessel.</p> <p style="text-align: center;">Inspection of E-Way Bill</p> <table border="1"> <tr> <th>Rights of Commissioner</th> <th>Rights of person</th> </tr> <tr> <td> <ul style="list-style-type: none"> Right to intercept any conveyance verify E-way bill Right to install Radio Frequency Identification device reader Right to physical verification of conveyance </td> <td> <ul style="list-style-type: none"> If vehicle detained for more than 30 min transporter may upload the information in Form GST EWB-04 on common portal </td> </tr> </table>	Rights of Commissioner	Rights of person	<ul style="list-style-type: none"> Right to intercept any conveyance verify E-way bill Right to install Radio Frequency Identification device reader Right to physical verification of conveyance 	<ul style="list-style-type: none"> If vehicle detained for more than 30 min transporter may upload the information in Form GST EWB-04 on common portal 	<table border="1"> <tr> <td>Sec 122</td> <td>Sec 129</td> </tr> <tr> <td>Taxable person Transporting the goods liable to penalty of ₹ 10,000 or Tax evaded (whichever is higher)</td> <td>Confiscation of Goods & conveyance</td> </tr> </table> <p>Summary Report & final Report -to be recorded online in Form GST EWB-03</p> <p>Part A(summary)- within 24 hrs of inspection</p> <p>Part B(Final)- within 3 days of inspection [Extension available for further 3 days]</p>	Sec 122	Sec 129	Taxable person Transporting the goods liable to penalty of ₹ 10,000 or Tax evaded (whichever is higher)	Confiscation of Goods & conveyance	<p>1) Acceptance/Rejection</p> <p>by the Recipient (if registered) or supplier within</p> <ul style="list-style-type: none"> 72 hours Before delivery of goods (whichever is earlier) or else Deemed Acceptance <p style="text-align: right;">or</p> <p>2) Cancellation of E-Way bill</p> <p>a) Goods not transported</p> <p>b) Goods not transported as per details furnished</p> <ul style="list-style-type: none"> Cancellation to be done within 24 hours. Cannot be cancelled if verified in transit
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Special Discussion

Transshipment of Goods	Bill to Ship to Transportation	Multiple Consignment	Important Clarification	Rule 138E:-Restriction of furnishing of information in part A of EWB-01.
<p>Consignor / Recipient (who has furnished Part A) or Transporter</p> <p>can assign the E-Way Bill to another registered transporter to update Part B of E-Way bill for further movement of goods.</p> <p>Note- only 1 EWB is required</p>	<p>Part A of E-Way Bill shall contain :</p> <p>Place of Dispatch(address of Place)</p> <p>Bill to (Details of "Bill to" party)</p> <p>Ship to (Address of "Ship to" party)</p> <p>Note- only 1 EWB is required</p> <p>Invoice Reference Number</p> <p>Reduces burden of carrying physical copy of Invoice</p> <p>Auto populates part A of E-way Bill</p>	<p>Transporter will generate the E-Way Bill in following cases</p> <ol style="list-style-type: none"> If consignor & Consignee has not generated E-Way Bill and Value of Goods carried in the conveyance is more than ₹ 50000 -Generation of E-Way bill in Form GST EWB-01. May also generate a consolidated e-way bill in Form GST EWB-02. <p>Note - Applicable only for transportation by Road</p>	<ol style="list-style-type: none"> Transit of goods in a same state through another state - EWB required Movement of goods from DTA to SEZ for vice-versa in a same state- EWB not required 	<p>in respect of any outward movement of goods of a registered person who -</p> <ol style="list-style-type: none"> composition dealer has not furnished the returns for two consecutive tax periods; or Other Person has not furnished the returns for a consecutive period of Two Tax Periods Other person has not furnished the statement of outward supplies for any two months or quarters, as the case may be. being a person, whose registration has been suspended under the provision of rule 21A(1) or 21A(2) or 21A(2A)